



By-Law No. 320

—OF THE—

TOWNSHIP OF ELMA.

A By-Law to provide for Preserving, Maintaining, Repairing, Improving and Altering
the Elma Portion of the Logan and
Maitland Drain.

By-Law No. 320

OF THE

TOWNSHIP OF ELMA.

A BY-LAW to provide for preserving, maintaining, repairing and improving and altering the Elma portion of the Logan and Maitland Drain in the Township of Elma and for borrowing on the credit of the Municipality of the Township of Elma the sum of Four Hundred and Seventy-Five Dollars (\$475.00) for completing the same.

Provisionally adopted on the Fourth day of June, A. D., 1894.

Whereas certain of the land owners whose lands are assessed under By law No. 289 of the Township of Logan, for the construction of said drain have at various times complained to the Council of the Township of Elma of the insufficiency of the said drain to carry off the water it was originally intended to carry off owing to said drain being out of repair.

And whereas consequent upon the overflow of the said drain, caused by want of repair, certain of the land owners in the said Township of Elma have so complained that their lands are at certain seasons of the year prejudicially affected by such overflowing.

And whereas thereupon the said Council of Elma procured an examination to be made of the said Drain and the locality by John Roger, Provincial land surveyor, being a person competent for such purpose of such water course to be repaired, preserved, maintained, improved and altered, and has also procured estimates of the work to be done, and profile and specifications of such work. And the report of the said John Roger in respect thereof, and of certain widening and deepening of such drain, being as follows :

To the Reeve and Council of the Township of Elma.

GENTLEMEN.—In accordance with your instructions to me, dated the 11th day of September, A. D., 1893, to proceed and make an examination of that part of what is known as the Logan and Maitland Drain through Elma with a view of having it cleaned out.

I have the honor to report that I have made an instrumental survey of said drain and find that said drain in its present condition is quite inadequate to carry off the water that is brought into it, being filled up in places with dirt and brush. In other places where the present depths conform closely to the original grade it requires widening in the bottom.

As shown by the accompanying profile the drain must necessarily be shallow in places in order to overcome higher elevations it in its present location passes through and thereby losing to a certain extent its usefulness which it would otherwise have were not these higher elevations to be contended with. The accompanying profile shows the present depth and also the required depth in order to conform with the original as near as possible.

I have estimated the cost of making the said portion of said ditch in good repair at Four Hundred and Seventy-five Dollars (\$475).

I am, gentlemen,

Your obedient servant,

JOHN ROGER, P. L. S.

Mitchell, Oct. 3rd, 1893.

And whereas the Council are of the opinion that the improving, repairing and altering of the said drain is desirable,

Be it therefore enacted by the said Municipal Council of the Township of Elma pursuant to the provisions of the Municipal Act :

1. That the said report and estimates be adopted and the improving, repairing and altering of the said drain and the works connected therewith be made in accordance therewith.

2. That the Reeve of the said Township may borrow on the credit of the Corporation of the said Township of Elma the sum of Four Hundred and Seventy five Dollars (\$475.00), being the funds necessary for the work, and may issue debentures of the said Corporation to that amount in sums of not less than \$100.00 each, and payable within Four years from the date thereof with interest at the rate of four per centum per annum, that is to say in equal annual payments, such debentures to be payable at the Provincial Treasury-department, in the City of Toronto, and to have attached to them coupons for the payment of interest.

3. That for the purpose of paying the sum of \$441.70, being the amount charged against the said lands so to be benefited as aforesaid other than lands and roads belonging to the Municipality and to cover interest thereon for Four years at the rate of four per cent. per annum, the following special rates over and above all other rates shall be assessed and levied in the same manner and at the same time as taxes are levied upon the under mentioned lots and parts of lots and the amount of the

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said special rates and interest assessed as aforesaid against each lot or part of lot, respectively, shall be divided into four equal parts and one such part shall

be assessed and levied as aforesaid in each year for Four years after the final passing of this By-law, during which the said debentures have to run.

Concession.	Lot or part of Lot	Acres.	Value of Improvement	To cover Interest for 4 years at 4 per cent.	Total Special Rate	Annual Assessment during each year for 4 years.	As amended by Court of Revision and County Judge.
18	e $\frac{1}{4}$ 16 except village lots	.88	\$ 9 96	\$ 1 02	10 97	\$ 2.743	
18	17 except the cheese factory	.70	41 85	4 27	40 12	11.529	
18	18	.75	44 84	4 .57	49 41	12.35	
18	19	.75	37 53	3 .36	41 36	10.839	
18	20	.50	8 30	.85	9 14	2.286	
18	21	.19	7 97	.81	8 78	2.195	
18	22	.8	8 88	.84	8 .67	.917	
17	e $\frac{1}{4}$ 16 n	.38	3 38	.84	3 .67	.917	
17	17	100	59 79	6 09	63 88	16.47	
17	18	100	59 78	6 09	65 88	16.47	
17	19	100	16 60	1 69	18 29	4.57	
17	20	100	16.60	1 69	18 29	4.57	
17	21	100	9 93	1 02	10 97	2.743	
16	s $\frac{1}{4}$ 16	.59	1 66	.17	1 .83	.457	
16	17	100	53 49	5 45	58 94	14.755	
16	w $\frac{1}{4}$ 18	.50	27 90	2 84	30 74	7.686	
15	e $\frac{1}{4}$ 17	.50	8 99	.41	4 40	1.10	
15	w $\frac{1}{4}$ 17	.50	18 27	1 86	20 18	5.03	
15	18	.75	16 80	1 69	18 29	4.57	
		1248	\$ 441 76	\$ 45 03	\$ 486 76	\$121.677	
Chargeable to municipality for roads		89 24	8 39	86 63	9.157		
			\$ 475 00	\$ 48 42	\$ 528 39	\$180.884	

4. That for the purpose of paying the sum of \$33.24, being the total amount charged against the roads in the said Municipality and to cover interest thereon for Four years at the rate of four per cent per annum, a special rate of 1.25 mills in the dollar shall over and above all other rates be levied (in the same manner and at the same time as taxes are levied) upon the whole ratable property in the said Township of Elma in each year for the period of Four years after the date of the final passing of this By-law, during which the said debentures have to run.

said Municipality on or before the Ninth day of July, 1894, and such complaint will be tried by and before a Court of Revision, to be held not later than ten days from the Ninth day of July, 1894.

Any person intending to apply to have the said By-law or any part thereof quashed must not later than ten days after the final passing thereof serve a notice in writing upon the Reeve or other head officer, and upon the Clerk of the Municipality, of his intention to make application for that purpose to the High Court of Justice, at Toronto, during the sitting next ensuing the final passing of this By-law.

* NOTICE.—Take notice that the Court of Revision for hearing appeals against the assessment (or the amount charged) of the above By-law will be held in the Agricultural Hall, Atwood, on Tuesday, the Tenth day of July, 1894, at ten o'clock a.m.

THOS. FULLARTON,
Clerk.

TAKE NOTICE that the foregoing is a By-law provisionally adopted by the Council of the Municipality of the Township of Elma on the Fourth day of June, A. D., 1894. Any person having any complaint to make in respect to the assessment (or the amount charged) is required to give notice of such complaint and the cause and matter thereof to the Clerk of the